

AMENDED IN ASSEMBLY MARCH 25, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1287

Introduced by Assembly Member Lieber

February 21, 2003

An act to ~~amend and renumber Section 798.285 of~~ *add Section 798.74.5* to the Civil Code, relating to mobilehomes.

LEGISLATIVE COUNSEL'S DIGEST

AB 1287, as amended, Lieber. Mobilehome parks: ~~vehicle removal~~ *information for prospective tenants.*

Existing law, the Mobilehome Residency Law, governs tenancies and residency in mobilehome parks. Among other things, the law authorizes the management to require the right of prior approval of a purchaser of a mobilehome that will remain in the park.

This bill would require the park management to provide prospective homeowners with a current copy of the Mobilehome Residency Law, a copy of the park rules and regulations, and a separate document containing specified information.

~~Existing law permits the owner or person in lawful possession of private property to remove a vehicle on the property if specified conditions are met. Existing law extends this privilege to the management of a mobilehome park if the management has posted a specified sign at each entrance to the mobilehome park.~~

~~This bill would exempt from the management's right to remove vehicles from a mobilehome park, as described above, a vehicle that is parked on the driveway or designated parking area of a homeowner's or a resident's site or mobilehome.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

~~SECTION 1. Section 798.285 of the Civil Code is amended~~

SECTION 1. Section 798.74.5 is added to the Civil Code, to read:

798.74.5. When the park management gives a prospective homeowner an application for tenancy in the park, or a list of the information which management requires in order to consider the prospective homeowner's application for tenancy in the park, the management shall at the same time give to that prospective homeowner all of the following:

(a) A copy of the current Mobilehome Residency Law, Section 798 and following of the Civil Code.

(b) A copy of the park rules and regulations.

(c) A separate document in at least 12-point boldface type entitled "INFORMATION FOR PROSPECTIVE MOBILEHOME OWNERS," and which includes the following statements:

(1) The mobilehome tenancy for which you are applying

☐ IS

☐ IS NOT

protected by a local rent control ordinance.

(Management shall mark the applicable box above with a "check mark")

(2) By signing a rental agreement or lease for a term of more than one year, you may be removing your rental space from the protections of a local rent control ordinance, if one exists, or from a local rent control ordinance adopted in the future.

(3) If management collects a fee or charge from you in order to obtain a financial report or credit rating, the full amount of the fee or charge shall be credited toward payment of the first month's rent of your tenancy. If, for whatever reason, your application is rejected by the management, management shall refund to you the full amount of that fee or charge within 30 days from the date of rejection. If you are approved by management, but for whatever reason, you elect not to commence your tenancy, management may retain the fee to defray its administrative costs.

(4) If you are approved for tenancy, and your tenancy commences within the next 60 days, your beginning monthly rent will be \$_____ (must be completed by management)

(5) In addition to monthly rent, you will be obligated to pay the following other fees and charges:

(Management shall describe the fee or charge, and the amount of each fee or charge)

(6) You are being given a copy of the Mobilehome Residency Law, Section 798 and following of the Civil Code, of which describes in detail your rights and responsibilities if you commence a tenancy in the mobilehome park. It also states the rights and responsibilities of park management. You should review the Mobilehome Residency Law carefully, and seek legal advice if you have questions about how these laws will affect you as a mobilehome owner.

Dated: _____

Signature of Park Manager: _____

and renumbered to read:

~~798.28.5. The management may cause the removal, pursuant to Section 22658 of the Vehicle Code, of a vehicle other than a mobilehome which is parked in the park when there is displayed a sign at each entrance to the park as provided in paragraph (1) of subdivision (a) of Section 22658 of the Vehicle Code. This section does not apply to a vehicle that is parked on the driveway or designated parking area of a homeowner's or a resident's site or mobilehome.~~

